

## UNITED STATES DISTRICT COURT

for the

Western District of Virginia

CLERK'S OFFICE U.S. DIST. COURT  
AT DANVILLE, VA  
FILED

MAR 23 2015

BY: JULIA C. DUDLEY, CLERK  
DEPUTY CLERKUnited States of America  
v.  
ANTHONY WENDELL BRIM)  
)  
) Case No: 4:06cr00009-004  
) USM No: 19236-057  
)

Date of Previous Judgment: 01/31/2007

(Use Date of Last Amended Judgment if Applicable)

) Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_.

## I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: \_\_\_\_\_ Amended Offense Level: \_\_\_\_\_  
Criminal History Category: \_\_\_\_\_ Criminal History Category: \_\_\_\_\_  
Previous Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months Amended Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

## II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.  
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.  
☐ Other (explain): \_\_\_\_\_

## III. ADDITIONAL COMMENTS

Defendant's offense level and resulting custody range were produced by application of the career offender guideline, which is unaffected by Amendment 782. Therefore, no reduction is authorized. Defendant's Motion to Appoint Counsel and Motion to Restore Constitutional Rights [ECF No. 214] are DENIED. The restoration of Defendant's civil rights is a matter of state law. See Richardson v. Ramirez, 418 U.S. 24, 54 (1974).

Except as provided above, all provisions of the judgment dated 01/31/2007 shall remain in effect.

IT IS SO ORDERED.

Order Date:

3/23/2015

Effective Date:

(if different from order date)

*Jackson L. Kiser*  
Judge's signature

Hon. Jackson L. Kiser, Senior U.S. District Judge

Printed name and title